



UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/230.083 04/20/94 KRAUS

34M1/0217

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1100 SUPERIOR AVE., STE 700
CLEVELAND, OH 44114-2518

W	TRW21364
EXAMINER	

JOYCE, H

ART UNIT	PAPER NUMBER
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3404

DATE MAILED:

02/17/95

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- ☒ Notice of References Cited by Examiner, PTO-892.
- ☐ Notice of Draftsman's Patent Drawing Review, PTO-948.
- ☐ Notice of Art Cited by Applicant, PTO-1449.
- ☐ Notice of Informal Patent Application, PTO-152.
- ☐ Information on How to Effect Drawing Changes, PTO-1474.
- ☐ _____

Part II SUMMARY OF ACTION

- ☒ Claims 1-16 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
- ☐ Claims _____ have been cancelled.
- ☐ Claims _____ are allowed.
- ☒ Claims 1-16 are rejected.
- ☐ Claims _____ are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.
- ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- ☐ Formal drawings are required in response to this Office action.
- ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
- ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
- ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
- ☒ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☒ been filed in parent application, serial no. 642,475; filed on Jan. 17, 1991.
- ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- ☐ Other

EXAMINER'S ACTION

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Part III DETAILED ACTION

Oath/Declaration

The reissue oath or declaration filed with this application is defective because it fails to particularly specify the errors relied upon and how the errors relied upon arose or occurred, as required under 37 C.F.R. § 1.175(a)(5). Applicant has failed to indicate what ^{specific} ~~the~~ error is, given that the claims submitted in this reissue are a broader recitation of the same claimed invention of the parent case which applicant appears to state that these broader claims for the same invention was restricted by the German Patent Office. Applicant should explain what requirement of the German Patent Office unity of invention policy required him to not include these reissue claims in the parent application.

Claim Rejections - 35 USC § 251

Claims 1-16 are rejected as being based upon a defective reissue Declaration under 35 U.S.C. § 251. See 37 C.F.R. § 1.175.

Specification

The following is a quotation of the first paragraph of 35 U.S.C. § 112:

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The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to provide an adequate written description of the invention; i.e., there is neither a written description of a second resilient clip connection, a written description of the second clip connection comprising a springy tongue integral with the surrounding wall, nor the first springy tongue being disposed in corresponding relation to the first side and the second springy tongue being disposed in corresponding relation to the second side.

Claim Rejections - 35 USC § 112

Claims 14 and 15 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.

Priority

Acknowledgment is made of applicant's claim for priority under 35 U.S.C. § 119. The certified copy has been filed in parent application, Serial No. 07/642,475, filed on January 17, 1991.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to H. Joyce whose telephone number is (703) 308-0274.

HJ
February 14, 1995



HAROLD JOYCE
PRIMARY EXAMINER
ART UNIT 344